

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE, SOUTHERN DIVISION
AT CHATTANOOGA**

REBECCA RODDY,)	
)	
Plaintiff,)	
)	
V.)	No.: _____
)	
LEXINGTON INSURANCE)	Removed from the Circuit Court for
COMPANY,)	Hamilton County, Tennessee
)	Docket No.: 09C693
Defendant.)	

NOTICE OF REMOVAL

Comes Defendant, Lexington Insurance Company, by and through counsel, and gives notice of the removal of this case from the Hamilton County Circuit Court to the United States District Court for the Eastern District of Tennessee at Chattanooga. As grounds for removal, Defendant would show this Court the following:

1. Plaintiff, Rebecca Roddy, filed her Complaint in the Tennessee Circuit Court for Hamilton County on May 20, 2009 (Circuit Court Civil Action No. 09C693), naming as Defendant Lexington Insurance Company.
2. Defendant was served in this case on May 26, 2009, and therefore this Notice of Removal is timely filed.
3. Rebecca Roddy is a citizen and resident of the state of Tennessee. Defendant is a corporation with its principal place of business in the state of Massachusetts.
4. This is a civil action over which this Court has jurisdiction under the provisions of 28 U.S.C. § 1332, and as such is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441, in that there is diversity of citizenship between the Plaintiff and the Defendant.

5. This suit is wholly of a civil nature, and the amount involved in the controversy is in excess of \$75,000.00, exclusive of interest and costs. It is clear from a reasonable reading of the Plaintiff's Complaint that the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, in that Plaintiff alleges:

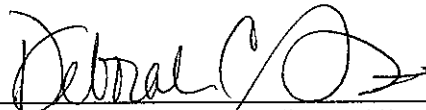
- a. Compensatory damages of Sixty-three Thousand, Two Hundred Twelve and 68/100 Dollars (\$63,212.68), and;
- b. Punitive damages of One Hundred Thousand Dollars (\$100,000).

6. Attached hereto as collective Exhibit A, are true copies of all pleadings filed to date in this action by any party.

7. Pursuant to 28 U.S.C. § 1446(d), Defendant is filing a copy of this Notice of Removal with the Hamilton County Circuit Court, and is sending a copy of the Notice of Removal to all interested parties.

WHEREFORE, Defendant respectfully requests that Civil Action No. 09C693, now pending in the Hamilton County Circuit Court, be removed to this Honorable Court.

Respectfully submitted, this 24 day of June 2009.


Deborah Stevens (BPR #007241)

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(865) 546-4646

Attorneys for Defendant

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served on the following counsel of record in the manner of service indicated below:

☒ By placing postage prepaid envelope in United States Mail Service, addressed to:

Rebecca Roddy
1612 Varner Road
Hixson, TN 37343

☐ By placing document in third party express delivery carrier, i.e., Federal Express, for overnight delivery to the following counsel of record:

☐ By sending document via facsimile to:

☐ By causing the foregoing to be hand delivered to counsel of record at the following address on this _____ day of _____ 2009.

This the 24 day of June 2009.

Detra C/O Z